

Borough of Rocky Hill
Planning Board
Minutes of the Regular Meeting
April 13th, 2010

The Regular Meeting of the Planning Board was called to order by Chairman Blasch at 7:35 pm.

NOTICE OF COMPLIANCE WITH OPEN PUBLIC MEETINGS ACT

Blasch read the following statement into the record: This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting was included in a list of meetings transmitted to the Courier News and Somerset Spectator on January 13th, 2010. Notice remains continuously posted as required under the Statute. A copy of this notice is available to the public and is on file in the Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Present: Robert Ayrey, Cathy Cann, Tim Corlis, Martin Englebrecht, Dan Kluchinski, Raymond Whitlock, Ed Zimmerman, Mark Blasch
*George White arrived at 7:45 pm
Absent: Linda Goldman, Connie Hallman, Julia Hasser

Also Present: Planning Board Attorney Valerie Kimson, Planner Tamara Lee

APPROVAL OF MINUTES

Motion was made by Kluchinski to accept the regular meeting minutes. Whitlock seconded that motion. All in favor Aye. Motion carried.

For: Cann, Corlis, Kluchinski, White, Whitlock, Zimmerman, Blasch
Against: None
Abstain: None

APPLICATIONS

None

CAPITAL REVIEW

Tamara Lee, Professional Planner, presented the board with a proposed design for Panicaro Park. Upon request by the Borough Council, Planner Lee has worked with a sub committee to implement a design plan to utilize a Youth Athletic Grant. The design is meant to capture the memorial elements of the park, giving each area a function, as well as some shrubbery to define the space. There will be several new benches. The primary entrance to the park will be on Park Ave with a secondary entrance on Crescent Ave. Corlis asked if the electrical quote included outlets, in addition the flag lighting. Planner Lee advised him there would be additional outlets for future uses. Kluchinski inquired about a cross walk within Crescent for pedestrian crossing at the proposed secondary entrance. Whitlock advised there were no crosswalks. The Board concurred that the proposed park entrance at Crescent should be eliminated from the plan, which would have the added benefit of

Borough of Rocky Hill
Planning Board
Minutes of the Regular Meeting
April 13th, 2010

reducing the amount of walkway to be created possibly saving some cost. Planner Lee stated the hedge was meant to be a backdrop and it will be nothing large, possibly holly. Since the grant will not cover the paving costs, Kluchinski suggested the Borough consider selling memorial bricks to off set the costs.

OPEN PUBLIC COMMENT

At 7:53 pm the meeting was open to the public.

Public: Patricia Sanson, 90 Crescent Ave, suggested the Borough use the funds to fix the existing parks that are in disrepair before adding to another park. Ms. Sanson felt this proposal was unnecessary. Ms. Sanson asked that the flagpole not be any larger. Planner Lee confirmed the new flagpole would be consistent with what is currently there. Ms. Sanson felt there were no additional benches needed in the Borough. Martin Englebrecht agreed with Ms. Sanson.

Board member Cann felt the benches were a nice addition and felt they would be utilized as did other board members so there was no Board recommendation to eliminate the benches.

Board member Kluchinski moved to support the proposal, as amended, eliminating the park entrance on Crescent and instead "closing" the circle of the interior at the Crescent side. Whitlock seconded and the Board approved.

At 8:12 meeting was closed to the public.

CHAIRMAN'S COMMENTS

Blasch informed the board the County is updating their records and requested secretary Newman obtain a copy of the Borough's circulation plan.

OTHER BUSINESS

Donato Resolution, RHPB 2010-08

Motion was made by Zimmerman to approve the resolution. Cann seconded that motion. Vote was 4-0. Motion carried.

For: Cann, Corlis, Zimmerman, Blasch

Against: None

Abstain: None

Pausch/Tepper Resolution, RHPB 2010-09

Motion was made by Whitlock to approve the resolution with the following change: under # 3, the work "demolition" be changed to "construction." Cann seconded that motion. Vote was 6-0 in favor. Motion carried.

Borough of Rocky Hill
Planning Board
Minutes of the Regular Meeting
April 13th, 2010

For: Cann, Corlis, Kluchinski, White, Whitlock, Blasch
Against: None
Abstain: None

Fee Ordinance

At the last meeting, the Board discussed possibly recommending changes in the existing Borough application fee schedule to the Governing Body for consideration. Ms. Goldman prepared proposed revisions to the Ordinance text for discussion purposes only. The Board reviewed the DRAFT fee ordinance revisions. Some of the revisions were drafted to clarify the existing ordinance application fee schedule to make it more user friendly. The draft contained a new section G, drafted only for the boards discussion. The Board was not inclined to recommend Section G because the Borough does not desire to collect escrow from an applicant after the fact, and the Board did not desire to eliminate escrow fees for tax exempt properties entirely because professional fees associated with the development would then have to be borne entirely by the Borough. The Board recommended that subsection G be eliminated from the Draft. The Board is still undecided about recommending that application fees be waived for tax exempt properties. The Board also would like to evaluate the fee schedule which currently exists. The Board carried this item for further discussion at the next meeting.

APPROVAL OF BILLS

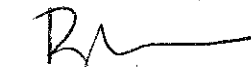
Motion was made by Cann to approve bills as presented. Whitlock seconded that motion. Vote was 9-0 in favor. Motion carried.

For: Ayrey, Cann, Corlis, Englebrecht, Kluchinski, White, Whitlock, Zimmerman, Blasch
Against: None
Abstain: None

ADJOURNMENT

A motion was made at 8:39 pm by Whitlock to adjourn the meeting. Motion seconded by Zimmerman. All voted in favor of adjournment.

The next meeting is scheduled for Tuesday May 11th 2010, at 7:30 PM.



Respectfully Submitted:

Rebecca Newman
Planning Board Secretary

RHPB #2010-08
ROCKY HILL BOROUGH PLANNING BOARD

In the Matter of the Application of Donato
For Historic Preservation Permit: Amended
Application

FINDINGS OF FACT

AND
CONCLUSIONS OF LAW
Block 9, Lot 2

Be It Resolved by the Borough of Rocky Hill that the action of this Board on May 12 2009 is hereby memorialized by the adoption of this written decision setting forth the Board's findings and conclusions.

1. Joseph and Alana Donato ("Applicants") filed an application with the Planning Board seeking a historic preservation permit for proposed new construction upon Block 9, Lot 2 in the Borough of Rocky Hill and were granted approval on April 8 2008 based upon the testimony presented and the plans prepared by Arthur Demarest, R.A. Licensed Architect, the most current revision date of the plans was March 13 2008.

2. The subject property lies within the historic preservation zone district, and jurisdiction for review is within this joint planning and zoning board.

3. The applicant returned to the Planning Board on May 12, 2009 for revisions to the approved plan. The applicant was represented by Roger Thomas Esq. and presented the testimony of Alana and Joseph Donato, owners.

4. The Applicants provided a background to the Board that they have commenced construction of the home but construction issues and cost required them to seek modifications to the plans as originally approved. Exhibits A-1, the approved plan; Exhibit A-2, the existing improvements; and Exhibit A-3 final design were marked into evidence. The applicants provided discussion regarding the numbered elements on the plans, and a full discussion is set forth in the Planning Board minutes of May 12, 2009, incorporated herein by reference.

5. The Board opened the hearing up to the public and the public commented that they did not prefer to have windows on the rear of the garage.

NOW THEREFORE ON THIS 13th DAY OF April 2010, the Planning Board of the Borough of Rocky Hill approves the application of Joseph and Alana Donato for modifications to the plans for the single family home subject to the following revisions to the Exhibit A-1 plans, numbering refers to the items numbered on A-1:

- 1.(5,23,27,30) Window trim. Applicant shall add trim and sills to all windows.

2. (6, 12) Vinyl shutters, affixed to the siding, mounted flush and screwed on will be added. The small second story window on the west of the front elevation will have two shutters.

3. (7, 24, 31) Stonework on the façade may be eliminated and boxwood type planting 3 to 4 feet high will be installed around the turret in lieu of stone.

4. (14) The applicant will install window mullions.

5. (26) The applicant will comply with the trim and headers for each window.

6. The Board does not object to the addition of carriage lights at the garage for safety.

7. (27) The applicant shall comply and add trim.

8. The Board approves the elimination of three windows at the rear of the garage.

9. (30) The applicant will add trim and casings.

10. The applicant shall remove the "keystone" detail at the top of the windows and garage.

11. The applicant shall install "fish scale/scallop" siding on the left side elevation (on the lower far left peak and on the right side elevation lower far right peak)

12. The applicant shall install a window at number 17.

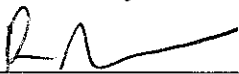
13. The applicant shall address drainage from roof and stormwater in compliance with applicable municipal, county, State and Federal requirements and applicant has represented that site grading shall be complete within 30 days.

14. Double rake board shall be reinstalled at item 3.

2. The Applicant shall obtain all necessary approvals and permits from the Borough of Rocky Hill and Somerset County Soil Conservation District.

3. The Applicant shall satisfy the requirements of the Borough Development Fee Ordinance and shall make payment of said fees pursuant to their requirements of the Borough Ordinance.

Borough of Rocky Hill Planning Board

By: 
Rebecca P. Newman, Board Secretary

RHPB #2010-09
ROCKY HILL BOROUGH PLANNING BOARD

**In the Matter of the Application of
Beverly Tepper and Mark Pausch**

**23 Montgomery Avenue
Rocky Hill Borough**

**Block 2.01 , Lot 24
Zone District : R1**

**March 9 2010
Resolution Memorialized:
April 13, 2010**

BE IT RESOLVED by the Planning Board of the Borough of Rocky Hill that the action of this Board on March 9, 2010 in this matter is hereby memorialized by the adoption of this written decision setting forth the Board's findings and conclusions.

RELIEF SOUGHT AND JURISDICTION:

1. The applicant filed an application with the Board seeking a variance in order to be permitted to add an addition to the home located at 23 Montgomery Avenue in the Borough of Rocky Hill. The permitted side yard set back is 25 feet. Currently the home is located 27.2 feet from the side yard, and with the addition, the home will be located 17.54 feet from the side yard property line.

2. The subject of this application is within the jurisdiction of this Joint Planning and Zoning Board.

APPLICATION:

3. The applicants are Beverly Tepper and Mark Pausch, owners of the residential home at 23 Montgomery Avenue. A plan entitled "Pausch/Tepper House" dated October 28, 2008 prepared by Joanna Kendig, AIA was submitted with the application.

4. The public hearing on the applicant was held by the Board at its meeting on March 9, 2010. The applicant provided proof that notice was given in connection with the application for a variance from the side yard setback. At the hearing, the applicant and all other interested parties were given the opportunity to present evidence and to be heard.

5. The applicant's architect, Joann Kendig was sworn and testified that the addition is for a sunroom as the owners grow orchids. The location of the sunroom maximizes the amount of sun in the proposed addition, and it has been sized as small as possible within the boundaries of its purpose. Currently there is an air conditioning

unit in this location which will be relocated. There is a natural stand of trees between the proposed sunroom and the house immediately adjacent and moreover, the neighboring house does not have any window on the first floor of the house on that side and therefore the sunroom location will have minimal impact on their views from a second story window.

6. The Board opened the meeting to the public for comments and there were no public comments regarding this application.

FINDINGS AND CONCLUSIONS:


7. The Board finds that the proposed addition has been located in the location which is most conducive for its proposed use as an orchid sunroom. The location is approximately 7.5 feet closer to the setback line than is allowed by the ordinance; however there currently exists vegetation between the subject home and the home adjacent to the proposed sunroom which will provide natural screening. Moreover the adjacent residence has no windows on the first floor of that side of the house and therefore the variance relief requested for the sunroom will have little visual impact to the residents of the adjacent home. The Board finds that the proposal will not cause a detriment to the zone plan or ordinance, and approves the proposed location of the sunroom addition to the home.

NOW, THEREFORE BE IT RESOLVED, by the Planning Board of the Borough of Rocky Hill, in the County of Somerset, State of New Jersey, on this 13th day of April 2010 that the application for a side yard setback variance for the proposed sunroom addition to the single family home located at 23 Montgomery Avenue, Rocky Hill New Jersey is approved, subject to the following conditions:

1. The applicant is required to comply with the Borough of Rocky Hill development fee ordinance.
2. Any and all fees owed by the applicant to the Rocky Hill Borough Planning Board in connection with this review shall be paid by the applicant.
3. The applicant shall comply with all applicable state, county and municipal laws and regulations in connection with the proposed construction on the site. .

This resolution of memorialization was adopted on April 13 2010 by a vote of the majority of the members present who voted to grant the relief sought by the applicant.

I hereby certify that the foregoing resolution was adopted
by the Planning Board at its regular meeting held on April
13, 2010.



Rebecca Newman , Secretary